

(Del. Rev. 11/14) Pro Se General Complaint Form

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

LYNETTE M. WALLEY

(In the space above enter the full name(s) of the plaintiff(s).)

21 - 1498

Civ. Action No. _____
(To be assigned by Clerk's
Office)

-against-

AMAZON.COM, INC.

JEFF BEZOS

VICTORIA LACASSE

PAIGE COKER "SEE ATTACHED"

(In the space above enter the full name(s) of the defendant(s).)

If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed in the above caption must be identical to those contained in Section I. Do not include addresses here.)

**COMPLAINT
(Pro Se)**

Jury Demand?

☒ Yes

☐ No

NOTICE

Federal Rule of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

If this is an employment discrimination claim or social security claim, please use a different form.

Plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

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I. PARTIES IN THIS COMPLAINT**Plaintiff**

List your name, address and telephone number. If you are presently in custody, include your identification number and the name and address of your current place of confinement. Do the same for any additional plaintiffs named. Attach additional sheets of paper as necessary.

Plaintiff:

WALLEY, LYNETTE, M
Name (Last, First, MI)

100 C HIGHLAND BLVD.
Street Address

NEW CASTLE, NEW CASTLE, DE 19720
County, City State Zip Code

(302) 317-3669
Telephone Number

E-mail Address (if available)

Defendant(s)

List all defendants. You should state the full name of the defendants, even if that defendant is a government agency, an organization, a corporation, or an individual. Include the address where each defendant can be served. Make sure that the defendant(s) listed below are identical to those contained in the above caption. Attach additional sheets of paper as necessary.

Defendant 1:

AMAZON.COM, INC
Name (Last, First)

1 CENTERPOINT BLVD.
Street Address

NEW CASTLE, NEW CASTLE, DE 19720
County, City State Zip Code

Defendant 2:

BEZOS, JEFF
Name (Last, First)

1 CENTERPOINT BLVD.
Street Address

NEW CASTLE, NEW CASTLE, DE 19720
County, City State Zip Code

Defendant 5: Phillips , Micheal

1 Center Point Blvd

New Castle , New Castle, De. 19720

Defendant 6 : Hayden , Laura

1 Center Point Blvd

New Castle , New Castle, De. 19720

Defendant 7 : Nagel , Scott

1 Center Point Blvd

New Castle , New Castle, De. 19720

Defendant 8 : Kois , Nanette

Corporate office

410 Terri Ave N

Seattle , WA 98109

Defendant 9 : Ragi

Corporate office

410 Terri Ave N

Seattle , WA 98109

Defendant 10: Reiner , Jennifer

Corporate office

410 Terri Ave N

Seattle , WA 98109

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Defendant(s) Continued

Defendant 3:

LACASSE, VICTORIA
Name (Last, First)1 CENTERPOINT BLVD.
Street AddressNEW CASTLE, NEW CASTLE, DE 19720
County, City State Zip Code

Defendant 4:

COKER, PAIGE
Name (Last, First)1 CENTERPOINT BLVD
Street AddressNEW CASTLE, NEW CASTLE, 19720
County, City State Zip Code

" DEFENDANTS) CONTINUED "
SEE ATTACHED "

II. BASIS FOR JURISDICTION

Check the option that best describes the basis for jurisdiction in your case:

- ☐ **U.S. Government Defendant:** United States or a federal official or agency is a defendant.
- ☐ **Diversity of Citizenship:** A matter between individual or corporate citizens of different states and the amount in controversy exceeds \$75,000.
- ☒ **Federal Question:** Claim arises under the Constitution, laws or treaties of the United States.

If you chose "Federal Question", state which of your federal constitutional or federal statutory rights have been violated.

" SEE ATTACHED "

II. Basis For Jurisdiction

Federal Question: Claims arises under the Constitution, laws, or treaties of the United States.

My rights to sue was violated when I exercised my rights to sue Amazon and Amazon retaliated against me by first forcing me out of my job and disabling my work badge not allowing me back in the building. Secondly, Amazon violated my rights when Amazon froze my stocks by illegally pushing out or extending the maturity date out to 2099-2100, so that I could not cash in my stocks or exercise any of my stock's options, I have by law. Amazon also changed the terms of my health care benefits without my consent, I was told by my local pharmacy when I could not get my prescriptions filled.

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III. VENUE

This court can hear cases arising out of the Counties of New Castle, Kent, and Sussex in the State of Delaware.

Under 28 U.S.C § 1391, this is the right court to file your lawsuit if: (1) All defendants live in this state AND at least one of the defendants lives in this district; OR (2) A substantial part of the events you are suing about happened in this district; OR (3) A substantial part of the property that you are suing about is located in this district; OR (4) You are suing the U.S. government or a federal agency or official in their official capacities and you live in this district. Explain why this district court is the proper location to file your lawsuit.

Venue is appropriate in this Court because:

(2) A SUBSTANTIAL PART OF THE EVENTS
I'M SUING ABOUT HAPPENED IN THIS DISTRICT.

IV. STATEMENT OF CLAIM

Place(s) of
occurrence:

AMAZON - 1 CENTERPOINT BLVD, NEW CASTLE COUNTY,
NEW CASTLE, DE 19720

Date(s) of occurrence: MARCH 5, 2018 -

State here briefly the FACTS that support your case. Describe how each defendant was personally involved in the alleged wrongful actions.

FACTS:

"SEE ATTACHED"

What
happened to
you?

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Was anyone
else
involved?

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Who did
what?

On March 5, 2018, I clocked in at 7:52am, I put in personal time to cover my lateness. I began working approximately 9:30 am. I later saw Carlos Sepulveda (Daytime Weekend Supervisor) and asked him VTO (Volunteer Time Off) was available for the remainder of that day. Carlos stated "Not right now but it will be later.", so I continued working until break which began at 10:00 am. Upon returning from break at 10:15, I went to ask "If VTO was now available?" Carlos stated "No, what's going on?". I told him "I forgot to put in vacation time, so I can go to the doctor with my daughter". He asked me "If I wanted to leave now?", and I responded, "No, I want to leave at 10:30 because my daughter's appointment is scheduled for 11:00 am". He said "Okay, come see me at 10:30 and I'll give you VTO. So around 10:25 I notice that Carlos was not around, so I seen Matthew Masterson and informed him that Carlos was going to give me VTO at 10:30 because I wanted to go to the eye doctor with my daughter and I forgot to put in vacation time 24hrs in advance. Matt stated, "Well, if you put vacation time in I will approve it" and I said okay. As Matt and I were talking, Carlos returned to the floor at which time Matt asked Carlos, "Did you tell Lynette that you would approve her VTO. Carlos stated "Yes". He then went to the system, scanned me out and stated "Enjoy the rest of the day Lynette, see you tomorrow". I then clocked out.

Around 12:45 pm, I received a phone call from Nanette Kois, who identified herself as a representative of Amazon ERC (Employee Resources Center), who informed me that I was out on a leave. I responded "No mam, I just left work on a VTO approval". She said "No you're out on leave", and I stated again, "No, I am not on a leave I just left work on a VTO approval at 10:35.am". She proceeded to place me on hold and when she returned she stated "Oh, you were at work" and I said "I told you I was just at work and clocked out at 10:35 am. I then asked her "What are you talking about because I am confused". She said "Your HR (human resources) and safety department have you out on a leave because you are unable to squat". I stated, "I am not understanding what she was talking about because I did not requeest any type of leave, medical, or otherwise, and that the job function I am expected to do does not require me to squat". She proceeds to ask me job related questions, such as "Do you have to pick anything up from a pallet or the floor"? I stated "No". I just rebin multi-small/medium, as well as stacking on AB1 and AB2.

At this point, she appears to be confused and she states that she "is trying to reach out to my HR department via email but they are not responding back". She then informed me to reach out to my HR and my safety team if I did not hear back from her by the end of that business day.

As I am sitting in my car, processing what just happened, I am baffled and shocked, not understanding how I am on a leave, when I never requested leave, or had any knowledge of anything to do with being on leave, when I just left work on a V.T.O. approval. At approximately 4:40 I returned to Amazon, went to H.R. and spoke with Victoria Lacasse and Lauren Faust was present as well. And we discussed the phone call I received from Nanette from E.R.C. stating I was out on leave. I was still trying to understand why I was unjustly put out on leave, I didn't ask, request, inquire, or anything to insinuate that I wanted leave. I never ask for any other restrictions outside of what my Dr. said.

I haven't had any disciplinary issues, written or verbal, no extra breaks, or help from other people to do my assigned duties as a Warehouse Assoc./Shiptation employee. They then had paper work faxed over from Jennifer Reiner. Still trying to comprehend how you unjustly put me out on leave over the phone, and then ask me to fill out paper work, after being told I could not return to work by Victoria because I'm not squatting while rebining, which is not required to do the task. Confused and completely frustrated I excused myself from the meeting. On 03-14-18 updated paper work was faxed over from my Dr's office to E.R.C./ H.R. in reference to my medical disabilities and restrictions.

On 03-14-18 at approximately 5:45p.m. I called the E.R.C. and asked if they received the updated fax from my Dr. they confirmed that they did, I was then told I could return to work on 03-19-18 on the 7:30a.m.- 6:00p.m. shift by Ragi.

On 03-19-18, I was present to start my shift, and was unable to clock in. I went to H.R. on the warehouse floor and spoke with Emelio Bhagloo, H.R. Administrative Assistant, where Lauren Faust was also present. I was expressing that I don't understand why I can't clock in. He looked into the system and stated, you're not out on leave and the last action documented on me was the V.T.O. approval that was granted to me by Carlos, on 03-05-18. I briefly told him what happened on 03-05-18, I then asked him, does he squat when he rebins? He said No. I then asked him to look at the employees who were doing rebin, and if any of them were squatting, while rebining, and Emelio stated no. I said Exactly! (You Don't Have To). Emelio said let me get in touch with E.R.C.,

On 03-19-18 at approximately 8:05a.m. I called E.R.C. and spoke with Ms. Jackie and requested to know who put the leave request in, because I never asked or requested, or inquired a leave. She said someone opened the leave on 03-06-18, but she couldn't see the name, that she would transfer me to someone else to get the information I was requesting. And the automated voice on the phone stated that A new leave request will be mailed and received within 7 days. I hung up and went back to the H.R. on the warehouse floor and spoke again with Emelio, then

Victoria came and asked me to go with her into her office, I then asked Crystal McKinney to come with me as a witness, she agreed to do so. Victoria asked me who stated that I could come back to work on 03-19-18, and I told her, a E.R.C. representative named Ragi. Victoria kept stating that I'm unable to work because I can't squat.

I believe that these actions are discriminatory because I was cleared by my doctor to return to work with restrictions in August, 2017. I was previously out on medical leave due to an automobile accident that occurred in November, 2016, while I was a passenger on an Amazon Employee Shuttle. Amazon allowed me to return to work with restrictions/accommodation in November, 2017.

I also believe another discriminatory action was when Amazon decided to put me on a unjust leave for a restriction (squatting) that is not required to do any of my daily work duties, that I was approved/accommodated for in November, 2017. I personally think the motive behind Amazon actions is due to a workman's comp/auto-case that is currently pending. I believe they are harassing me due to the open civil case.

This matter has caused me severe stress and emotional dysfunction as I have been out of work since March 6, 2018 without pay. This has deeply affected my livelihood.

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V. INJURIES

If you sustained injuries related to the events alleged above, describe them here.

I SUSTAINED NECK, SHOULDER AND BACK INJURIES, BECAUSE OF AN AUTO/WORKMAN'S COMP ACCIDENT. I HAVE HERNIATED DISC IN MY NECK AND BACK.

VI. RELIEF

The relief I want the court to order is:

- ☒ Money damages in the amount of: \$ 80 MILLION DOLLARS
- ☒ Other (explain):

LOSS WAGES FROM 3-6-18 TO PRESENT
 PAIN AND SUFFERING FROM 3-5-18 TO PRESENT
 STOCK VALUES PLUS INTEREST
 ATTORNEY'S FEE'S
 EXPERT WITNESS FEE'S
 COURT FEE'S
 MEDICAL BILLS
 OUT OF POCKET COST FOR MEDICATION
 COMPENSATORY / PUNITIVE DAMAGES
 EMPLOYEE / HEALTH INSURANCE BENEFITS

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VII. CLOSING

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending or modifying existing law; and (3) complies with the requirements of Rule 11.

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

10 / 24 / 2021
Dated

Lynette M. Walley
Plaintiff's Signature

WALLEY, LYNETTE, M
Printed Name (Last, First, MI)

100 - C HIGHLAND BLVD NEW CASTLE, DE 19720
Address City State Zip Code

302-317-3669
Telephone Number

lynettewalley@yahoo.com
E-mail Address (if available)

List the same information for any additional plaintiffs named. Attach additional sheets of paper as necessary.

Plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.